

SAMPLE -301(a)(4) ORDER

IN THE _____ COURT OF _____ COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

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No. _____

Charge(s): _____

**ORDER DIRECTING POST CONVICTION EVALUATION
UNDER T.C.A. SECTION 33-7-301(a) (4)**

This cause was heard on _____ before the Honorable _____, Judge of Division _____, of the _____ Court of _____ County. Upon the court's own motion it is ordered that the service recipient be referred to _____ (Community Mental Health Center) for a competency evaluation under T.C.A. Section 33-7-301(a)(4). If the community mental health center is unable to make a determination on an outpatient basis, the service recipient may be referred to the Forensic Services Program (FSP) of Middle Tennessee Mental Health Institute (MTMHI) for a maximum of thirty (30) days for an evaluation of competency to participate in post conviction process and proceedings.

Therefore, it is ORDERED:

1. That the Community Mental Health Center designated by the Commissioner of the Tennessee Department of Mental Health and Developmental Disabilities (TDMHDD) perform the evaluations indicated above and report its findings to this court.
2. That the Court Clerk provide the designated evaluator with a copy of this order.
3. That the outpatient evaluator coordinate a time for interviewing the service recipient with the Department of Corrections at the Special Needs Facility or Riverbend.
4. That if an inpatient evaluation is requested by the court, the Department of Corrections will arrange an appointment for admission with the Forensic Services Program at Middle Tennessee Mental Health Institute. The Department of Corrections will transport the service recipient to FSP for the evaluation and return the service recipient to the Department of Corrections when notification is received from the institute.
5. That the designated evaluator will provide a copy of the completed evaluation to the ordering Judge only.
6. That if the service recipient requires an inpatient evaluation he/she will be admitted subject to suitable, available accommodations.

Judge